

Attorney Docket No. BHC 032009

**ORIGINAL****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

National Stage in the U.S. of

International Application No.: PCT/EPO4/012050

International Filing Date: 10/26/2004

U.S. Application No.: 10/578,490

First Named Inventor: Mogi, et al.

Title: Bicyclic Amide, Carbamate or Urea Derivatives as Vanilloid Receptor Modulators

**CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 8, 2007

  
William F. Gray

**Mail Stop PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

This replies to the Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to applicants on 01/08/2007. A copy of Form PCT/DO/EO/905 is enclosed.

**DECLARATION OR OATH**

No declaration or oath was filed. Enclosed is the original declaration or oath for this application (35 U.S.C. 371 (c)(4)).

**COMPLETION FEES**

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e))  
\$130.00.

### EXTENSION OF TIME

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply. Applicant petitions for an extension of time, the other than small entity fee for which is set out in 37 C.F.R. 1.17(a)(2), for 2 months.

Fee \$450.00

If an additional extension of time is required, please consider this a petition therefor.

### TOTAL FEE DUE

The total fee due is:

Completion fees	\$130.00
Extension fee (if any)	<u>\$450.00</u>
Total Fee Due	\$580.00

### METHOD OF PAYMENT


The Commissioner is hereby authorized to charge Deposit Account No. **13-3372** in the amount of **\$580.00** for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account. A duplicate of this request is attached.

Respectfully submitted,

Date: May 8, 2007

Registration No.: 31018

Phone: (203) 812-2712

  
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**William F. Gray**  
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05/11/2007 GFREY1 00000032 133372 10570490  
02 FC:1252 450.00 DA

05/11/2007 GFREY1 00000032 133372 10570490  
01 FC:1617 130.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,490	Mogi	BHC082009

35969  
 JEFFREY M. GREENMAN  
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INTERNATIONAL APPLICATION NO.	
PCT/EP04/12050	
I.A. FILING DATE	PRIORITY DATE
10/26/2004	11/08/2003

CONFIRMATION NO. 9422  
 371 FORMALITIES LETTER



Date Mailed: 01/08/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2006
- Copy of the International Search Report filed on 05/05/2006
- Preliminary Amendments filed on 05/05/2006
- Information Disclosure Statements filed on 05/05/2006
- Request for Immediate Examination filed on 05/05/2006
- U.S. Basic National Fees filed on 05/05/2006
- Priority Documents filed on 05/05/2006
- Specification filed on 05/05/2006
- Claims filed on 05/05/2006
- Abstracts filed on 05/05/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,490	PCT/EP04/12050	BHC032009